

## Message Text

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ACTION OES-07

INFO OCT-01 ARA-10 EUR-12 ISO-00 ACDA-12 CIAE-00

INR-07 IO-13 L-03 NSAE-00 NSC-05 EB-08 NRC-05

SOE-01 DODE-00 SS-15 SP-02 /101 W

-----126543 221824Z /53

R 221504Z DEC 77

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC PRIORITY 4542

INFO USDOE HQ WASHDC

USDOE HQ GERMANTOWN

AMEMBASSY ATHENS

AMEMBASSY CARACAS

AMEMBASSY MEXICO

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USIAEA

DEPT PASS IO/SCT

EO 11652: N/A

TAGS: AORG, PARM, TECH, MNUC, VE, IAEA

SUBJ: VENEZUELA'S SAFEGUARDS AGREEMENT WITH IAEA

REF; (A) CARACAS 12292, (B) VIENNA 8595 (NOTAL)

REF A MAKES SEVERAL POINTS WHICH INDICATE MISUNDERSTANDING  
OF ROLE OF IAEA SECRETARIAT AND OF DISCUSSIONS IN IAEA  
BOARD REGARDING VENEZUELAN REQUEST FOR FUEL SUPPLY,  
WHICH MISSION WOULD LIKE TO SET ARIGHT FOR THE RECORD:

1. 1. REGARDING PARA 6, REF A, WE ARE PUZZLED AT STATEMENT  
THAT "NO COMMITMENT WAS REQUESTED FOR GIVEN BY GOV  
REGARDING THE CONCOUSION OF ITS SAFEGUARDS AGREEMENT".  
STATEMENT DELIVERED BY GOV RES. REP. TO DIRECGOR GENERAL,  
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WHICH WAS COMMUNICATED TO BARD MEMBERS IN DOCUMENT  
GOV/1863, QUOTED IN ITS ENTIRETY IN REF B, AND ALLUDED  
TO IN PARA 6 OF REF A WAS OBVIOUSLY INTENDED BY GOV TO  
ALLAY ANY CONCERN BY GOVERNORS REGARDING GOV'S GOOD FAITH.  
IT MAY BE USEFUL TO REPRODUCE THAT STATMENT ONCE AGAIN:

" THE VENEZUELAN GOVERNMENT WISHES TO MAKE IT KNOWN THAT

IN ACCORDANCE WITH THE LEGAL SYSTEM OF ITS COUNTRY THE DRAFT SAFEGARDS AGREEMENT HAS BEEN SUBJECTED TO CAREFUL ANALYSIS AND IT IS NOW READY TO ENTER INTO NEGOTIATIONS WITH THE AGENCY. IN THIS CONNECTION A DELEGATION OF VENEZUELAN LEGAL EXPERTS WILL VISIT THE AGENCY IN OCTOBER TO DISCUSS THE FORM AND NEGOTIATIONS SHOULD TAKE."

2. THERE WAS IN FACT MINIMAL DISCUSSION OF GO/1863 AT THE BOARD, DUE IN LARGE PART TO FACT THAT DG WENT OUT OF HIS WAY TO FORESTALL CRITICISM BY GOVERNORS FROM STATES WHICH ARE NPT PARTIES BY INCLUDING IN GOV/1863 A REPORT ON STATUS OF GOV'S NPT SAFEGUARDS AGREEMENT NEGOTIATIONS TRANSMITTING FOREGOING GOV STATEMENT. AT THAT TIME, GOVERNORS CLEARLY COULD ONLY ACCEPT GOV'S ASSURANCES AS HAVING BEEN GIVEN IN GOOD FAITH.

3. THE IAEA IS NOT A PARTY TO NPT; CONSEQUENTLY, IT WOULD NOT BE WITHIN THE AGENCY'S PROPER ROLE TO "CHASTISE" A MEMBER STATE REGARDING ITS NPT OBLIGATIONS. ROLE OF DIRECTOR GENERAL IN THIS CASE WAS SOLELY TO REPORT TO BOARD, IN ANTICIPATION OF QUESTIONS BY GOVERNORS REPRESENTING STATES PARTY TO NPT, CONCERNING STATUS OF GOV'S NEGOTIATION WITH IAEA OF SAFEGUARDS AGREEMENT REQUIRED BY NPT.

4. REFERENCE TO IAEA "CERTIFICATION" IN PARA 7, REF A, LIMITED OFFICIAL USE

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IS OVERDRAWN, SINCE DIR GEN'S ROLE IN DETERMINING ELIGIBILITY FOR GIFT IS ONLY TO SATISFY HIMSELF THAT VENEZUELAN REQUEST MET USG RPT USG CRITERIA FOR QUALIFICATION FOR ALL OR PORTION OF ANNUAL US GIFT OF SNM, I.E. THAT MATERIAL WAS INTENDED FOR RESEARCH OR MEDICAL USE AND THAT RECIPIENT STATE WAS LDC PARTY TO NPT.

5. FOREGOING MAKES CLEAR THAT NEITHER IAEA BOARD NOR DIRECTOR GENERAL HAS "DUCKED THE ISSUE" OF GOV'S FULFILLMENT OF ITS OBLIGATION UNDER NPT TO CONCLUDE REQUIREMENT SAFEGUARDS AGREEMENT. IN FACT, BOARD ACTED IN RELIANCE UPON GOV'S ASSURANCE SET FORTH IN GOV/1863. STONE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENTS, NUCLEAR SAFEGUARDS  
**Control Number:** n/a  
**Copy:** SINGLE  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977VIENNA10882  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Office:** ACTION OES  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 CARACAS 12292, 77 VIENNA 8595  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 26-Nov-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Status:** NATIVE  
**Subject:** VENEZUELA'S SAFEGUARDS AGREEMENT WITH IAEA  
**TAGS:** AORG, PARM, TECH, MNUC, VE, IAEA  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009